

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW MEXICO**

ENRIQUE M. LINO,

Petitioner,

v.

No. 16-cv-0225 KG/SMV

STATE OF NEW MEXICO,

Respondent.

ORDER TO CURE DEFICIENCY

Petitioner submitted an application for writ of habeas corpus. [Doc. 1]. The Court determines that the documents are deficient as described in this order. Petitioner is directed to cure the following if he wishes to pursue his claims:

I. Filing Fee.

_____ No filing fee (\$5.00 habeas corpus) has been received.

II. Prisoner's Application to Proceed in District Court Without Prepaying Fees or Costs:

- (1) X is not filed
- (2) is missing affidavit
- (3) is missing required financial information
- (4) is missing certified copy of prisoner's trust fund statement for the 6-month period immediately preceding this filing
- (5) is missing an original signature by the prisoner
- (6) names in caption do not match names in caption of complaint, petition or habeas application
- (7) An original and a copy have not been received by the Court.
Only an original has been received.
- (8) other _____

III. Petition or Application:

- (1) X is missing
- (2) is not on proper form
- (3) is missing an original signature by the prisoner
- (4) is missing page nos.
- (5) uses et al. instead of listing all defendants/respondents
- (6) An original and a copy have not been received by the Court. Only an original has been received.
- (7) Sufficient copies to serve each defendant/respondent have not been received by the Court.
- (8) names in caption do not match names in text
- (9) other:

Failure to timely cure the designated deficiencies may result in dismissal of the application without prejudice without further notice.

IT IS THEREFORE ORDERED that Petitioner cure the deficiencies designated above within 30 days from the date of this order. Petitioner must include the civil action number (16-cv-0225 KG/SMV) of this case on all papers that he files in this proceeding.

IT IS FURTHER ORDERED that the Clerk of the Court mail to Petitioner, together with a copy of this order, the following forms: 2 copies each of an Application to Proceed in District Court without Prepaying Fees or Costs (Long Form) and a habeas corpus petition with instructions.

IT IS SO ORDERED.



STEPHAN M. VIMDAR
United States Magistrate Judge